



भारत का राजपत्र

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No. 49] NEW DELHI, SATURDAY, NOVEMBER 3, 1983 (AGRAHAYANA 12, 1905)

इस भाग में सिद्ध पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
(Separate paging is given to this Part in order that it may be filed as a separate compilation)

भाग III—खण्ड 4

[PART III—SECTION 4]

विविध निकायों द्वारा जारी की गई विविध अधिसूचनाएं जिसमें कि आदेश, विज्ञापन और सूचनाएं सम्मिलित हैं

[Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies]

भारतीय रिजर्व बैंक

केन्द्रीय कार्यालय

बैंकिंग परिचालन और विकास विभाग

“ग्रार्कोड”, विश्व व्यापार केन्द्र

बम्बई-400 005, दिनांक 10 नवम्बर 1983

संदर्भ : डी०बी०ओ०डी० सं० आर०ई०टी० बी० सी० 90/सी० 96(आर०ई०टी०)-83—भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 42 की उपधारा (1क) में प्रदत्त शक्तियों का प्रयोग करते हुए तथा दिनांक 31 अक्तूबर, 1980 की अपनी अधिसूचना डी०बी०ओ०डी० सं० आर०ई०टी० बी० सी० 127/सी० 96(आर०ई०टी०)-80 के साथ पठित दिनांक 13 जनवरी 1977 की अपनी अधिसूचना डी०बी०ओ०डी० सं० आर०ई०टी० बी० सी० 9/सी० 96(आर०ई०टी०)-77 पर प्रतिकूल प्रभाव डाले बिना भारतीय रिजर्व बैंक एतद्वारा यह निवेश देता है कि :—

- (i) प्रत्येक अनुसूचित वाणिज्य बैंक दिनांक 12 नवम्बर, 1983 से रिजर्व बैंक के पास अतिरिक्त औसत दैनिक अतिशेष बनाये रखेगा जो उपर्युक्त धारा की उपधारा (1) के अन्तर्गत बनाये रखे जाने वाले औसत दैनिक अतिशेष के अतिरिक्त होगा, और

- (ii) ऐसे अतिरिक्त औसत दैनिक अतिशेष की राशि 11 नवम्बर, 1983 को कारोबार बंद होने के समय विद्यमान मांग और मीयादी देयताओं से 11 नवम्बर, 1983 के बाद अधिक होने वाली मांग और मीयादी देयताओं की कम से कम 10 प्रतिशत होगी।

संदर्भ : डी०बी०ओ०डी० सं० आर०ई०टी० बी० सी० 91/सी० 96 (आर०ई०टी०)-83—भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 42 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय रिजर्व बैंक एतद्वारा प्रत्येक अनुसूचित बैंक को उनके विदेशी मुद्रा (अनिवासी) खाता और अनिवामी (विदेशी) रुपया खातों के अंतर्गत जमा देयताओं के संदर्भ में उक्त धारा 42 की उपधारा (1 क) के प्रावधानों से छूट देता है इस धारा के अन्तर्गत जारी दिनांक 10 नवम्बर, 1983 की अधिसूचना डी०बी०ओ०डी० सं० आर०ई०टी० बी० सी० 90/सी० 96 (आर०ई०टी०)-83 के साथ पठित उक्त उपधारा का जहां तक सम्बन्ध है, प्रत्येक अनुसूचित बैंक को ऐसे खातों के संदर्भ में अतिरिक्त औसत दैनिक अतिशेष बनाये रखना होता है।

म० वि० हाटे
उप गवर्नर

भारतीय स्टेट बैंक

केन्द्रीय कार्यालय

सूचना

बम्बई, दिनांक 21 अक्टूबर 1983

भारतीय स्टेट बैंक अधिनियम 1955 की धारा 50 के अन्तर्गत प्रतिपादित भारतीय स्टेट बैंक सामान्य नियम 1955 के नियम 76(1) के अनुसार केन्द्रीय बोर्ड की प्रबंधन समिति इसके द्वारा निम्नलिखित अधिकारियों को निम्नांकित हस्ताक्षर के अधिकारी बेंती है:—

सभी प्रकार के दस्तावेज, लिखत, खाते, रसीदें, पत्र तथा पालू सूचनाओं या स्टेट बैंक के अधिकार प्राप्त व्यवसायों पर हस्ताक्षर करने और विशेष रुपये एवं आगे आने वाले अधिकारों की सामान्यता को बिना हानि पहुंचाये, स्टेट बैंक की ओर से या उसके द्वारा रखे या उसके नाम में वचनपत्रों, स्टॉक रसीदों, स्टॉक डिबेंचरों, शेयरों, प्रतिभूतियों तथा माल स्वस्थ प्रलेखों के पृष्ठांकन तथा अंतरण या किसी प्रकार के विरोधी करार के न होने पर किसी भी व्यक्ति, फर्म, कम्पनी या निगम के नाम में या उनके द्वारा रखे गये या उनकी ओर से, विनियम पत्रों तथा बैंकों के आहरण करने, स्वीकृत करने तथा पृष्ठांकित करने, साख पत्रों को जारी करने, पुष्टी करने तथा अंतरण करने और गारण्टियों तथा क्षतिपूर्ति पत्रों पर हस्ताक्षर करने के लिए भारतीय स्टेट बैंक को जिन व्यक्ति, फर्म, कम्पनी या निगम के लिए या उनकी ओर से अटर्नी अधिकार प्राप्त हैं।

मुख्य अधिकारी, निधि प्रबंधन विभाग

मुख्य अधिकारी, रुपया यात्री बैंक विभाग

मुख्य अधिकारी, क्षेत्रीय ग्रामीण बैंक विभाग

मुख्य अधिकारी, भविष्य निधि विभाग

केन्द्रीय बोर्ड की प्रबंधन समिति

के आदेश से

हस्ताक्षर -

प्रबन्ध निदेशक

दी इनस्टिट्यूट आफ कास्ट एण्ड वर्क्स

एकाउन्टेन्ट्स आफ इन्डिया

कलकत्ता, दिनांक 6 नवम्बर 1983

सं० 18-सी० डब्ल्यू०आर०(92)/83—दी कास्ट एण्ड वर्क्स एकाउन्टेन्ट्स रेगुलेशन्स 1959 के विनियम 18 का अनुसरण कर यह अधिसूचित किया जाता है कि दी इनस्टिट्यूट आफ कास्ट एण्ड वर्क्स एकाउन्टेन्ट्स आफ इन्डिया के परिषद ने कहे हुए रेगुलेशन्स के विनियम 17 द्वारा दिये गये अधिकारों का प्रयोग करते हुए श्री नरेश चन्द्र बन्साल, एम० काम० ए०आई० सी०डब्ल्यू० ए०, 195, सेन्ट्रल स्ट्रीट, पी० ओ० बॉक्स 22150, फिटवे, जम्बीया (सदस्यता संख्या 1674) के नाम को 28 अक्टूबर, 1983 से मदस्य पंजिका में पुनः स्थापित किया।

डी० सी० भट्टाचार्य
सचिव

भारतीय डाक-तार विभाग

डाक-तार महानिदेशालय का कार्यालय

सूचना

नई दिल्ली, दिनांक नवम्बर, 1983

सं० 25-10/83-एल० आई०—निम्नलिखित डाक जीवन बीमा पालिसियां विभाग के संरक्षण से गुम हो गई हैं। यह सूचित किया जाता है कि उक्त पालिसियों का भुगतान रोक दिया गया है। निदेशक, डाक जीवन बीमा, कलकत्ता को बीमेदारों के नाम पालिसियों की दूसरी प्रति जारी करने के लिए प्राधिकृत कर दिया गया है। जनता को सावधान किया जाता है कि मूल पालिसियों के सम्बन्ध में वे कोई लेन-देन न करें:

क्रमांक	पालिसी नं०	बीमेदार का नाम	राशि
1.	एल-84874	श्री छिन्न सिंह	4,000
2.	214332-पी	श्री के० हनीफा	5,000
3.	ए-10154	श्री यू० जी० कर्पा	30,000
4.	125932-सी०	श्री एन० ए० शाह	5,000
5.	270061-सी०	श्री ए० एस० कृष्णा राय	30,000
6.	268930-सी	श्री गोविन्द राम बाहूमारे	5,000
7.	121126	मोहम्मद इसमाईल	1,000

के० पी० विश्वास

निदेशक (डाक जीवन बीमा)

भारतीय खाद्य निगम

नई दिल्ली, दिनांक 18 नवम्बर 1983

गुच्छि-पत्र

एफ० सं० 13(5)/83 बी०सी०—भारत के राजपत्र भाग-III, खण्ड-4) सं० 45, दिनांक 5 नवम्बर, 1983 के पृष्ठ 3258 पर प्रकाशित अधिसूचना सं० 26/एफ० सं० 39-2/82-ई० पी० (पाटं) दिनांक 22 अक्टूबर, 1983 के सम्बन्ध में निम्नलिखित गुच्छियां प्रकाशित की जाती हैं:—

पैरा सं०	पंक्ति सं०	निम्नलिखित प्रकाशित	निम्नलिखित पढ़ा जाए
आरम्भ से	6	करते हैं:	करता है:
2	1	(मृत्यु तथा	(मृत्यु तथा
व्याख्यात्मक	1	सलाह दी जाती है	सलाह दी है
ज्ञापन			
„	5	1- - 82 से	1-2-82 से

एम० हनुमन्था राव

उप प्रबन्धक (कोर्डिनेशन)

कृते सचिव

राष्ट्रीय सहकारी विकास निगम
(प्रशासन प्रभाग)

दिल्ली-110016, दिनांक 11 नवम्बर 1983

शुद्धि-पत्र

सं. रा०सं०वि० नि० 1-1-81-प्रशा०—दिनांक 6 अगस्त, 1983 के भारत के राजपत्र सं. 32 के भाग 3 खंड 4 में प्रकाशित दिनांक 13 जुलाई, 1983 की अधिसूचना सं. रा० सं. वि० नि० 1-1/81-प्रशा० में,

- (1) सिस्टम एनेलिस्ट के पद के भर्ती नियमों के कॉलम 7 में आने वाले 'किर्यान्वयन' शब्द के स्थान पर 'कार्यान्वयन' शब्द को प्रतिस्थापित किया जाए।
- (2) वरिष्ठ प्राग्रामर के पद के भर्ती नियमों के कॉलम 7 में आने वाली "ई० पी० डी०" शब्दावली के स्थान पर "ई० डी० पी०" शब्दावली को प्रतिस्थापित किया जाए।

आर० बी० गुप्ता,
प्रबन्ध निदेशक

इण्डियन एयरलाइन्स

"इंडियन एयरलाइन्स टिकट रद्दकरण तथा वापसी
विनियम (परिशोधित)" का संशोधन

वायु निगम अधिनियम 1953 (1953 का 27वा) की धारा 45 की उपधारा 2 की उपधारा 1 तथा उपधारा 2 के खण्ड (क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, इंडियन एयरलाइन्स एतद्वारा "इंडियन एयरलाइन्स टिकट रद्दकरण तथा धन वापसी विनियम" के विद्यमान नियम 9 जैसा कि अधिसूचना संख्या जी० एस० 35(424)/80 में शामिल है और दिनांक 30 अगस्त, 1980 के भारत के राजपत्र भाग 3 धारा 4 में प्रकाशित हो चुका है, को रद्द करती है और इसके बदले में निम्न संशोधन करती है जोकि उस तिथि से प्रभावी होंगे जिस तिथि को भारत के राजपत्र में इनका प्रकाशन होगा अर्थात्—

"खुले" तथा "प्राथित" टिकटों के रद्दकरण प्रभार 20 रु० (बीस रुपये) होंगे सिवाए खुले वापसी टिकट पर या उन यात्राओं के जिनमें बहुखंडीय यात्राओं में से किसी एक खण्ड पर यात्रा कर ली गई हो, इस हालत में किसी भी प्रकार के रद्दकरण/सिवा प्रभार लागू नहीं होंगे।"

नवीन चन्द्र भार्गव
बिग कमांडर

RESERVE BANK OF INDIA
CENTRAL OFFICE

DEPARTMENT OF BANKING OPERATIONS & DEVELOPMENT
THE ARCADE WORLD TRADE CENTRE,

Bombay 400005, the 10th November 1983

Ref DBOD No Ret BC 90/C 96(Ret)-83—In exercise of the powers conferred by sub-section (1A) of section 42 of the Reserve Bank of India Act, 1934, and without prejudice to its Notification DBOD No Ret BC 9/C 96 (Ret)-77 dated the 13th January 1977 read with its Notification DBOD No Ret BC 127/C 96(Ret)-80 dated the 31st October 1980, the Reserve Bank of India hereby directs—

- (i) that every scheduled commercial bank shall with effect from 12th November 1983, maintain with the Reserve Bank, an additional average daily balance which shall be in addition to the average daily balance required to be maintained under sub-section (1) of that section, and
- (ii) that the amount of such additional average daily balance shall not be less than 10 per cent of the amount by which its demand and time liabilities subsequent to the 11th November 1983 exceed its demand and time liabilities as at the close of business on the 11th November 1983

Ref DBOD No Ret BC 91/C 96(Ret) 83—In exercise of the powers conferred by sub-section (7) of section 42 of the Reserve Bank of India Act, 1934, the Reserve Bank of India hereby exempts every scheduled bank from the provisions of sub-section (1A) of the said section 42, in respect of its deposit liabilities under Foreign Currency (Non-resident) Accounts and Non-resident (External) Rupee Accounts, in so far as the said sub-section read with Notification DBOD No Ret BC 90/C 96(Ret) 83 dated the 10th November 1983 issued thereunder, requires a scheduled bank to maintain in respect of such accounts an additional average daily balance

M V Hate,
Deputy Governor

STATE BANK OF INDIA,
CENTRAL OFFICE

Bombay, the 21st October 1983

In pursuance of Regulation 76(1) of the State Bank of India General Regulations 1955, framed under Section 50 of the State Bank of India Act 1955, the Executive Committee of the Central Board hereby authorises the undernoted officials to exercise the following signing powers—

- (1) To sign all documents, instruments, accounts, receipts, letters and advices connected with the current or authorised business of the State Bank and, in particular and without prejudice to the generality of the foregoing powers, to endorse and transfer promissory notes, stock receipts, stock debentures, shares, securities and documents of title to goods, standing in the name of or held by or on behalf of the State Bank or, in the absence of any agreement to the contrary, standing in the name of or held by or on behalf of any person, firm, company or corporation for or on behalf of which person, firm, company or corporation the State Bank has been constituted as attorneys, to draw, accept and endorse bills of exchange and cheques, to issue confirm and transfer letters of credit and to sign guarantees and indemnities

Chief Officer, Funds Management Department
Chief Manager, Rupee Travellers Cheques Department
Chief Officer, Regional Rural Banks Department
Chief Officer, Provident Fund Department

By order of the Executive
Committee of the Central Board
Sd/- ILLEGIBLE
Managing Director

THE INSTITUTE OF COST AND WORKS ACCOUNTANTS OF INDIA

Calcutta, Dated the 6th November 1983

No. 18-CWR(92)/83.—It is hereby notified in pursuance of Regulation 18 of the Cost and Works Accountants Regulations 1959, that in exercise of the powers conferred by Regulation 17 of the said Regulations, the Council of the Institute of Cost and Works Accountants of India has restored to the Register of Member the name of Shri Naresh Chander Bansal, MCOM, AICWA 195 Central Street, P.O. Box-22150, Kitwe, Zambia Membership No. M/ 1674), with effect from 28th October 1983.

D. C. Bhattacharyya
Secretary.

INDIAN POSTS AND TELEGRAPHS DEPARTMENT OFFICE OF THE DIRECTOR GENERAL OF THE POSTS AND TELEGRAPHS

New Delhi-110001, the 19th November 1983

No. 25/10/83-LI.—Postal Life Insurance policies particularised below having been lost from the Departmental custody, Notice is hereby given that the payment thereof has been stopped. The Director, Postal Life Insurance, Calcutta has been authorised to issue duplicate policies in favour of the insureds. The Public are hereby cautioned against dealing with the original policies :—

Sl. No.	Policy Number and Date	Name of the insurant	Amount
1.	L-84874	Shri Chhinder Singh	4,000/-
2.	214332-P	Shri K. Hanifa	5,000/-
3.	A-10154	Shri U.G. Kartha	30,000/-
4.	125932-C	Shri N. A. Shah	5,000/-
5.	270061-C	Shri A. S. Krishna Rao	30,000/-
6.	268930-C	Shri Govind Rambhadracharya	5,000/-
7.	121126-P	Shri Md. Ismail	1,000/-

Sd/- Illegible
Director (PLI)

THE FOOD CORPORATION OF INDIA

New Delhi, the 18th November 1983

CORRIGENDUM

No. 13(5)/83-BC.—In the Notification No. 26/F. No. 38-2/82-EP(Pt.) dated the 22nd October, 1983 published in the Gazette of India (Part III—Section 4) No. 45 dated 5th November, 1983 on page 3332, the following corrections are made therein :—

Para	Line	For	Read
Startiny	1	No. 26/F.No.38-2/82-EP (Pt.)	No.26/F.No.39-2/82-EP (Pt.)
2	7	of Rs. 36,000/-	or Rs. 36,000/
Explanatory	6	to among Regu-lation 5 (1)	to amend Regu-lation 5 (1)
Momorandum			
Under para	2		
—do—	9	effect any	· affect any

M. HANUMANTHA RAO,
Deputy Manager (Coord.)
for Secretary.

NATIONAL COOPERATIVE DEVELOPMENT CORPORATION

New Delhi-110016, the 11th November 1983

CORRIGENDUM

No. NCDC : 1-181-Admn.—In the Notification No. NCDC : 1-1/81-Admn. dated 13th July, 1983 published in

Part III-Section 4 of the Gazette of India No. 32 dated 6th August, 1983.

- (i) The word "Development" occurring in the first line be substituted by the word "Development".
- (iv) The term "EPD" occurring in column 7 of the Recruitment Rules for the post of System Analyst be substituted by the term "EDP".
- (iii) The words "Programming in" be added after the words ".... or FORTRAN IV language and experience in" in column 7 of the Recruitment Rules for the post of System Analyst.
- (iv) The term "EPD" occurring in column 7 of the Recruitment Rules for the post of Senior Programmer be substituted by the term "EDP".

R. V. GUPTA,
Managing Director.

INDIAN AIRLINES

AMENDMENT TO THE "INDIAN AIRLINES CANCELLATION OF TICKETS AND REFUND REGULATIONS (REVISED)"

In exercise of the powers conferred by Sub-Section 1 and Clause (e) of Sub-Section 2 of Section 45 of the Air Corporations Act, 1953 (27 of 1953), the Indian Airlines hereby Cancels the existing Rule 9 of the "Indian Airlines Cancellation of Tickets and Refund Regulations" as contained in their Notification No. GS-35 (424)/80 published in the Gazette of India, Part III Section 4 dated August 30, 1980, and makes the following amendment in place thereof which shall take effect from the date of its publication in the Gazette of India namely :—

"Cancellation charges for "Open" and "Requested" tickets shall be Rs. 20/- (Rupees twenty) except on open ticket of return or multiple journey where at least one sector has been utilised in which case no cancellation/ service charge will apply".

N. C. BHARMA Wg. Cdr.
Secretary.

UNIT TRUST OF INDIA

Bombay, the 16th November 1983

No. UT/6538/DPD(P&R)92/83-84.—The provisions of the Capital Gains Unit Scheme, 1983 (CGS-1983) formulated under Section 21 of the Unit Trust of India Act, 1963 are published herebelow for general information :

CAPITAL GAINS UNIT SCHEME 1983 (CGS-83)

In exercise of the powers conferred by Section 21 of the Unit Trust of India Act, 1963 (52 of 1963), the Board of the Unit Trust of India, hereby makes the following Unit Scheme :

I. Short title and commencement :

- (1) This scheme shall be called the Capital Gains Unit Scheme 1983.
- (2) It shall come into force on the 1st day of December, 1983.

Provided that the Chairman or in his absence the Executive Trustee may suspend the sale of units under the scheme at any time giving a week's notice in such newspapers or other media as may be decided.

Provided further that no unitholder shall have any right to the continuance of the scheme and closure or termination if any, effected consequent upon the withdrawal of the concession under the Income Tax Act, 1961 or by any other order or direction from the Central Government in this behalf shall be binding on the unitholders. No unitholder shall have any claim against the Trust in such an event for any loss, damage, injury caused or suffered.

II. Objective :

This scheme primarily aims at enabling a person deriving or making capital gains to invest the net consideration received or accruing as a result of the transfer of a "long-term capital asset" or part thereof in units as contemplated under Section 54E (1) Expl./ (c) (ii) of Income Tax Act, 1961.

III. Definitions :

In this scheme, unless the context otherwise requires—

- (a) the "Act" means the Unit Trust of India Act, 1963;
- (b) "acceptance date" with reference to an application made by an applicant to the Trust or its agent duly authorised in this behalf for sale or repurchase of units by the Trust means the day on which the Trust or its authorised agent, as the case may be, after being satisfied that such application is in order, accepts the same;
- (c) "body Corporate" includes a society registered under the Societies Registration Act, 1860, such society being hereinafter referred to as "a society";
- (d) "eligible trust" shall have the meaning assigned to it under clause (aaa) of Regulation 2 of the Regulations;
- (e) "firm", "partner" and "partnership" have the meanings respectively assigned to them in the Indian Partnership Act, 1932 (9 of 1932), but the expression partner shall also include any person who being a minor, has been admitted to the benefits of partnership;
- (f) "number of units in issue" means the aggregate of the number of units sold and outstanding;
- (g) "person" shall mean the applicant under the Scheme and shall include—
 - (i) an individual, including a minor
 - (ii) Hindu Undivided Family (HUF),
 - (iii) a company or a body corporate,
 - (iv) a partnership firm,
 - (v) an association of persons or a body of individuals, whether incorporated or not (AOP);
 - (vi) an eligible trust,
 - (vii) every artificial juridical person not falling within any of the preceding sub-clauses.

The expressions "Association of Persons, company and Hindu Undivided Family" shall wherever used in this scheme have the same meaning as assigned to them under the Income Tax Act, 1961.

- (h) "recognised stock exchange" means a stock exchange which is, for the time being recognised under the Securities Contracts (Regulation) Act, 1956 (42 of 1956);
- (i) "Regulations" means Unit Trust of India General Regulations, 1964 made under Section 43(1) of the Act;
- (j) "Scheme" means the Capital Gains Unit Scheme, 1983;
- (k) "Unit" means one undivided share of the face value of ten rupees in the unit capital of this scheme;
- (l) all other expressions not defined therein but defined in the Act shall have the respective meanings assigned to them by the Act.

IV. Face value of each unit :

The Face value of each unit shall be ten rupees.

V. Applications for units :

- (1) Applications for units may be made by the following classes of persons:
 - (i) An individual or individuals, none of whom is a minor;
 - (ii) A company or other body corporate;

- (iii) A company or other body corporate along with another company or body corporate or an individual or individuals, none of whom is a minor;

- (iv) A parent, step-parent or other lawful guardian on behalf of a minor; and

- (v) An eligible trust as defined in the Regulations in accordance with and to the extent provided in the Regulations.

- (2) An individual may make an application in his capacity as an officer of a Government or of a court.
- (3) An application shall not be made jointly on behalf of a minor and another person.
- (4) In case of a HUF, the application shall be made by the Karta of the HUF jointly with not more than three other male members of the family. The first named person namely the Karta shall be recognised by the Trust for all practical purposes as the unit-holder.
- (5) An application by an AOP or a partnership firm shall be made by not more than four of the persons of the Association or members of the firm and the first named person in either case shall be recognised by the Trust for all practical purposes as the unit-holder.
- (6) Applications shall be made in such forms as may be approved by the Chairman of the Trust and, subject to the provisions of sub-clause (3), the total number of applicants in each case shall not exceed four.
- (7) An application for units by an eligible Trust shall be made, by such persons as are duly authorised in that behalf by the Charter or Rules/Regulations governing the Trust not exceeding four in any event and the unit certificate shall be issued in the name of the said Trust.
- (8) The minimum number of units applied for shall be 500 and in multiples of ten thereafter.
- (9) (a) Payment for units applied for shall be by means of a cheque, draft or cash and shall be tendered along with the application for the units.
 - (b) When the payment is made by cheque/draft the acceptance date will, subject to such cheque/draft being realised, be the date on which the cheque is received by the Trust or its authorised agent, and in case of a draft the date of issue of such draft provided the application is received by the Trust or its authorised agent within such time as may be deemed reasonable by the Trust. If the amount tendered by way of payment for the units applied for is not sufficient to cover the amount payable for the units applied for and any other charges payable to the Trust, may, at its discretion, issue such number of units in multiples of ten as is nearest to the number applied for by the applicant, subject to a minimum of five hundred and the balance amount if any, remaining due to the applicant shall be refunded at the cost of applicant in such manner as the Trust may deem fit.
 - (c) A unit certificate will be sent by registered post to the address given by the applicant with or without acknowledgement due; the Trust will not incur any liability for loss, damage, mis-delivery or non-delivery of the unit certificate so sent.

VI. Application by and registration of bodies corporate and minors :

- (1) A body corporate may be registered as a unit-holder or as one of the joint unit-holders.
- (2) An adult, being a parent, step-parent or other lawful guardian of a minor may hold units and deal with them in accordance with and to the extent provided in sub-section (2A) of Section 21 of the Act. Such adult shall furnish to be Trust in such manner as may be specified, proof of the age of the

minor and the capacity to hold and deal with units on behalf of the minor

- (3) Applications by companies or other bodies corporate shall be accompanied by the relevant documents showing the applicant's competence to invest in units, such as, Memorandum and Articles, Bye laws, etc., an authorised copy of the resolution by the managing body and a copy of the requisite power of attorney
- (4) A firm shall be registered as a unitholder and the Unit Certificate shall be made in the name of the firm
- (5) Applications made by a HUF shall be in the name of the Karta and not more than three other male members of the family and they shall be so registered, though for all practical purposes, the Trust shall deal with the first named person (i.e.) the Karta alone
- (6) An application by an AOP shall be made by not more than four persons of the association and they shall be so registered though for all practical purposes the Trust shall deal only with the first named person
- (7) Not more than four persons can be joint holders
- (8) An individual applying for units in his official capacity shall be issued units in his official name
- (9) On an application for units being made by an eligible Trust the certificate shall be issued in the name of the said Trust
- (10) A unit certificate issued by the Trust to a society shall be made out in the name of the society

VII *Purchase may be made through a banker, etc.*

Any person may make arrangements with a banker or any other institution, empowering it, in accordance with law, to purchase units from the Trust on his behalf, from time to time

VIII *Sale of units*

The contract for sale of units by the Trust shall be deemed to have been concluded on the acceptance date. On such conclusion of the contract for sale, the Trust or its agent, as the case may be, shall, as soon thereafter as possible, send the applicant an acknowledgement thereof. As soon as possible thereafter, the Trust shall issue to the applicant one unit certificate representing the units sold to him, or, if the applicant so desires, such number of certificates for such denominations in multiples of 10 as he may specify, provided each certificate shall be for a minimum of 500 units

IX *Repurchase of units*

- (1) No unitholder shall be entitled and nor the Trust shall be bound to repurchase units before the expiry of the three years from the date of issue of units
- (1A) In the event of the death of the single holder, Karta in case of a HUF, first named person in an AOP, or dissolution of a partnership before the expiry of the three years from the date of issue of units, the Trust may repurchase the units standing to the credit of such person/s at the repurchase price ruling on the acceptance date if so desired by survivor/s, heirs or legal representatives as the case may be
- (2) Subject to the provisions contained in sub-clause (1) above, the Trust shall after the expiry of three years from the date of issue of units, repurchase at the repurchase price ruling as on the acceptance date on receipt by the Trust of the Unit Certificate with the form on the reverse thereof duly completed provided all the units comprised in the certificate are tendered for repurchase. No partial repurchase of units represented by the Unit Certificate shall be permitted
- (3) In the event of the death of the single unitholder and on surrender to the Trust by the Legal Representative or nominee of the relative unit certificate the

Trust shall on compliance with the formalities in connection with the recognition of claim repurchase all the units on the acceptance date

- (4) In the event of the death of the Karta, in case of a HUF, the Trust shall recognize only the second named person as the Karta and on surrender by him to the Trust of the relative Unit Certificate and on compliance with the formalities in connection therewith the Trust shall repurchase all the units at the repurchase price ruling on the acceptance date
- (5) In the event of the death of the first named person in case of an Association of persons the Trust shall recognize only the second named persons as having any title to or interest in the units repurchased by the certificate held by the Association and on surrender by him to the Trust of the relative Unit Certificate and on compliance with the formalities in connection therewith the Trust shall repurchase all the units at the repurchase price ruling on the acceptance date.
- (6) In the event of the dissolution of the partnership firm, the Trust shall upon an application for repurchase by a majority of the erstwhile partners make the payment of the repurchase price as on the acceptance date to one or more of the partners by an account payee cheque subject to compliance with such conditions as the Trust may deem fit to impose
- (7) Payment for the units repurchased by the Trust shall be made as early as possible after the acceptance date in such manner as the applicant may indicate in his application. No interest shall, on any account, be payable on the amount due to the applicant, and the cost of remittance or of realisation of cheque or draft sent by the Trust shall be borne by the applicant

X *Restriction on sale and repurchase of units*

Notwithstanding anything contained in any other provision of this scheme

- (a) the Trust shall not be under an obligation to sell or repurchase units
 - (i) on such days as are not working days, and
 - (ii) during the period (as notified by the Trust) when the register of unitholders is closed in connection with the annual closing of the books and accounts, and
- (b) the Trust shall not be under any obligation to repurchase units held by any unit holder for a period of 3 years from the acceptance date, save and except as provided in Clause IX(1)(A) retired hereinbefore

Explanation

For the purpose of this scheme, the term "working day" shall mean a day which has not been either (i) notified under the Negotiable Instruments Act, 1881, to be a public holiday in the State of Maharashtra or such other states where the Trust has offices or (ii) notified by the Trust in the Gazette of India as a day on which the head office of the Trust be closed

XI *Sale and Repurchase Prices*

- (1) Every sale or repurchase of units by the Trust shall be as on the acceptance date at the respective prices prevailing on that day
- (2) The price at which a unit will be sold by the Trust shall be called "the sale price" and the price at which a unit will be repurchased by the Trust (hereinafter referred to as "the repurchase price") shall be determined by the Trust on the first day of every month (or the next working day, if that day happens to be a holiday) and shall apply to transactions effected until a change is announced
- (3) The sale price shall be arrived at by dividing the value (determined as hereafter indicated) as at the

close of business on the working day immediately preceding the day on which the sale price is determined, of the assets pertaining to this scheme, reduce by liabilities pertaining to this scheme, not being contingent liabilities or liabilities in respect of the unit capital including reserves, if any, as at the close of business on the said working day, by the number of units in issue as at the close of business on the said day, adding thereto such sum as in the opinion of the Trust is adequate to cover brokerage, commission, taxes, if any, stamp duties, other charges in relation to the acquisition of investments by the Trust and management expenses and adjusting upwards the resulting price by not more than 10 paise per unit.

- (4) The repurchase price shall be arrived at by dividing the value of the assets pertaining to this scheme (determined as hereinafter indicated) as at the close of business on the working day immediately preceding the day on which the repurchase price is determined reduced by the liabilities pertaining to this scheme not being contingent liabilities or liabilities in respect of unit capital including reserves, if any as at the close of business on the said working day by the number of units in issue as at the close of business on the said day, deducting therefrom such sum as in the opinion of the Trust is adequate to cover brokerage, commission, taxes, if any, stamp duties and other charges in relation to the realisation of investments by the Trust and adjusting downwards the resulting price by not more than 10 paise per unit.
- (5) The sale and repurchase price of a unit shall be arrived at on the basis of the material available with the Trust on the day on which sale price or the repurchase price as the case may be is arrived at.
- (6) Notwithstanding anything contained to the contrary in sub-clauses (2), (3), and (5) when the Trust is satisfied that it is necessary or expedient in the interest of the Trust and the unitholders to do so, it may, to such extent as it may deem fit, vary the sale or repurchase price, arrived at under sub-clause (3) or, sub-clause (4) as the case may be to such extent as it may deem fit.
- (7) The Trust may till the first repurchase commences on or after the expiry of the three year period from the date of first issue of units announce a repurchase price for the purpose of valuation of units by the unitholders and for settlement of claims, if any, arising out of the death, dissolution or bankruptcy of the unitholder.

XII. Publication of sale price and repurchase price :

The Trust shall, as early as possible after the determination of the sale and repurchase prices publish in such manner as it may deem fit, the sale price and the repurchase price of units.

XIII. Valuation of assets pertaining to this scheme :

(1) For the purposes of valuation of the assets under sub-clauses (3) and (4) of clause XI, the assets shall be classified into (A) Cash, (B) Investment and (C) other assets.

(2) Investments shall be valued by taking—

- I. (a) the closing prices on the stock exchange on the working day preceding the day on which the valuation is made, of the securities held by the Trust pertaining to this scheme. Provided where a security is quoted on more than one stock exchange, the manner of determining the price of such security shall be decided by the Trust.
- (b) where any investment was not, during the relevant period, dealt in, or quoted on any recognised stock exchange, such value, as the Trust may, in the circumstance, consider to be the fair value of such investment; and

II. adding thereto—

- (a) in the case of interest earning deposits, interest accrued but not taken credit for;
- (b) in the case of Government securities and debentures, interest accrued but not taken credit for; and
- (c) in the case of preference shares and equity shares quoted ex-dividend, any dividend declared but not received.

(3) Other assets shall be valued at their book value.

XIV. Form of unit certificate :

Unit certificate shall be in Form A annexed hereto. Each unit certificate shall bear a distinctive number, the number of units represented by the certificate and the name of the unitholder.

XV. Unit Certificate :

A unit certificate may represent any denomination of units in multiples of 10 subject to a minimum of 500 units.

XVI. Manner of preparation of unit certificate :

The unit certificates may be engraved or lithographed or printed as the Board may, from time to time, determine and shall be signed on behalf of the Trust by two persons duly authorised by the Trust. Every such signature may either be autographic or may be effected by a mechanical method. No unit certificate shall be valid unless and until it is so signed. Unit Certificate so signed shall be valid and binding notwithstanding that, before the issue thereof, any person whose signature appears thereon may have ceased to be a person authorised to sign the unit certificates on behalf of the Trust.

Provided that should the unit certificate so prepared contain the signature of an authorised person who however is dead at the time of issue of the certificate, the Trust may by a method considered by it as most suitable, cancel the signature of such a person appearing on the certificate and have the signature of any other authorised person affixed to it. The unit certificate so issued shall also be valid.

XVII. Trusts not be recognised regarding units :

Except to the extent provided and except in accordance with the Regulations, the person who is registered as the holder and in whose name a unit certificate has been issued shall be the only person to be recognised by the Trust as the unitholder and as having any right, title or interest in or to such unit certificate and the units which it represents, and the Trust may recognise such unit holder as absolute owner thereof and shall not be bound by any notice to the contrary or to take notice of the execution of any trust or save as herein expressly provided or as by some court of competent jurisdiction ordered, to recognise any trust or equity or other interest affecting the title to any unit certificate or the units thereby represented.

XVIII. Exchange of Unit Certificates and procedure when certificate is mutilated defaced lost etc.

(1) In case any unit certificate is mutilated or defaced, the Trust at its discretion may issue to the person entitled, a new unit certificate representing the same aggregate number of units as the mutilated or defaced unit certificate represents. In case any unit certificate should be lost, stolen or destroyed the Trust may, at its discretion issue to the person entitled a new unit certificate in lieu thereof. No such new unit certificate shall be issued unless the applicant shall previously have—

- (i) furnished to the Trust evidence satisfactory to it of the mutilation, defacement loss, theft or destruction of the original unit certificate;
- (ii) paid all expenses in connection with the investigation of the facts;
- (iii) (in case of mutilation or defacement) produced and surrendered to the Trust the mutilated or defaced unit certificate; and
- (iv) furnished to the Trust such indemnity as it may require;

- (v) carried out and complied with the requirements and formalities which may be laid down generally or in individual cases;
- (vi) The Trust shall not incur any liability for issuing such certificate in good faith under the provisions of this clause.

(2) Before, issuing any certificate under the provisions of this clause, the Trust may require the applicant for the unit certificate to pay a fee of Rupees two per unit certificate issued by it together with a sum sufficient in the opinion of the Trust to cover stamp duty, if any, or other charges or taxes including postal registration charges that may be payable in connection with the issue and despatch of such certificate.

XIX. Register of unit holder :

The following provisions shall have effect with regard to the registration of unitholders :—

(1) A Register of the unit holders shall be kept by the Trust and there shall be entered in the register :

- (a) the names and addresses of the unit holders;
- (b) the distinctive number of the unit certificate or certificates and the number of unit held by every such person;
- (c) the date on which such person became the holder of the units standing in his name; and
- (d) such particulars as may be prescribed from time to time by the Trust.

(2) If any unit certificate stands registered in the names of two or more persons, the Trust shall be entitled to pay any amount under or in respect of such units to the person first named in the register of unit holders and a receipt by such person shall be a valid discharge to the Trust in respect of any amount so paid to the first named person.

(3) Where two or more individuals, none of them being a minor, apply for issue of a unit certificate in their favour and, in such application or otherwise, request in writing that any of them should be permitted to deal with the units represented by the certificate, the Trust shall record in its books suitable entries to take note of such request; and when a unit certificate has been issued in such circumstance, then, notwithstanding anything to the contrary contained in sub-clause (2), any one or more of the holders shall be entitled to deal with the units represented by such certificate and a discharge by any one or more of such persons shall, as regards receipt of amounts due in respect of such units, discharge the Trust in respect of such amounts.

(4) Any change of name or address on the part of any unit holder shall be notified to the Trust, which, on being satisfied of such change and on compliance with such formalities as it may require, shall alter the Register accordingly.

(5) Except when the Register is closed in accordance with the provisions in that behalf hereinafter contained, the Register shall during business hours (subject to such reasonable restrictions as the Trust may impose but so that not less than two hours on each business day shall be allowed for inspection) be open to inspection by any unitholder, without charge.

(6) The Register will be closed at such times and for such periods as the Trust may from time to time determine provided that it shall not be closed for more than 30 days in any one year; the Trust shall give notice of such closure by advertisement in such newspapers as the Board may direct.

(7) No Notice of any trust express, implied or constructive shall be entered on the Register in respect of any unit.

(8) Where an application is made by a H.U.F. an AOP, or a Partnership Firm the Trust shall not be deemed to be taking notice of any trust express, implied or constructive, and the Trust shall deal for all practical purposes under the scheme with the first named person alone and in the event of his death, the second named person.

XX. Receipt by unit holder to discharge trust :

The receipt of the unit holder for any moneys paid to such unit holder in respect of the units represented by the certificate shall be a good discharge to the Trust.

XXI. Death of Bankruptcy of a unit holder :

(1) In case of a death of any one of the joint holders of a unit certificate, the survivor or survivors shall be the only person(s) recognised by the Trust as having any title to or interest in the units represented by the certificate.

Provided that nothing herein contained shall affect any right which any other person may have as against such survivor or survivors in respect of the said units.

(2) In the event of death of a sole unitholder, the nominee's shall be the person's recognised by the Trust as the person's entitled to the amount payable by the Trust in respect of units under the Regulations.

(3) In the absence of a valid nomination by a unitholder, the executor or administrators of the deceased unit holder or a holder of succession certificate issued under part X of the Indian Succession Act, 1925 (39 of 1925) shall be the only persons who may be recognised by the Trust as having any title to the unit.

(4) Any person becoming entitled to the units consequent upon the death or bankruptcy of a unitholder may, upon producing such evidence as to his title as the Trust shall consider sufficient, be paid the repurchase value of all units to the credit of the deceased at the repurchase price ruling on the acceptance date, after, all the formalities in connection with the claim have been complied with by the claimant.

(5) In the event of the sole nominee under the Unit certificate being a person eligible to hold units then at the desire of the said nominee, the nominee may instead of receiving the repurchase value of all units to the credit of the deceased shall be permitted to hold the units as a unitholder and continue to remain registered as a unitholder and shall be issued a unit certificate in his name in respect of units so desired to be held subject to the conditions regarding minimum holdings.

(6) In the event of the death of the Karta (i.e) the first named person of the HUF, the second named person shall be the person recognised by the Trust as the Karta and the person entitled to the amount payable by the Trust in respect of such units, under the subject unit certificate.

(7) In the event of the death of the first named person in case of an AOP, the second named person shall be the only person recognised by the Trust as the person entitled to the amount payable by the Trust in respect of such units under the subject unit certificate.

VXII. Investment limits :

(1) Investments by the Trust from the funds of the scheme in the securities of any one company shall not exceed 15% of the securities issued and outstanding of such a company. Provided that the aggregate of such investments in the capital initially issued by new industrial undertaking shall not at any time exceed 5% of the total amount of the said funds.

(2) The limits prescribed under sub-clause (1) shall not apply to investments by the Trust in Government Securities and investments, the principal and interest whereof are guaranteed by the Central Government and bonds and debentures and deposits of a company whether secured or not.

XXII. Negotiability and Transfer of units :

Units issued under this scheme are neither negotiable nor transferable.

XXIV. Consequence of Contravention of Provision regarding restriction on encumbrance within 3 years of investment :

No unitholder shall be deemed to have complied with the provisions of Section 54E (1) Excl. 1 (c) (ii) of the Income Tax Act, 1961 in so far as it relates to investment in units, if within 3 years of the acceptance date the assessee (i.e.) unitholder contravenes any of the said provisions by any act or omission deemed contrary.

XXV Nomination by unit holders

(1) Unit holders holding singly may exercise the right to make or cancel a nomination to the extent provided in the Regulations.

(2) A sole unit holder while making a nomination if he so desired may nominate more than one individual as a nominee, but in no case exceeding 3 individuals and shall specify the number of units in respect of which he wished to make each of them a beneficiary. In the absence of such mention the nominees shall be deemed to share the benefit equally. The Trust shall be fully discharged in recognising the claim of the nominees in the event of the death of the unit holder to the exclusion of all others subject to the provisions of the Regulations.

(3) Unit holders being either parent or lawful guardian on behalf of a minor or holding units jointly a company, body corporate, a partnership firm, an AOP or a HUF shall have no right to make any nomination.

XXVI Income Distribution

(1) The Income distributable to the Unit holders shall be paid as soon as may be after the closing of the annual accounts, every year at such rate as may be determined by the Board of Trustees depending upon the income earned under the scheme during the relevant year and other relevant factors.

(2) The income distributable to the unit holders shall be paid as soon as may be after the closing of the annual accounts as on the 30th June of each year.

(3) No interest shall be payable by the Trust on such income distribution not realized by the unit holder, due to any reason whatsoever.

(4) The income distributable among unit holders shall be paid by means of a warrant payable at par at any branch of a specified nationalised bank.

XXVII Publication of accounts

The Trust shall, as soon as may be after the 30th June of each year, cause to be published in such manner as the Board may specify accounts showing the working of the scheme during the period ending on the 30th June.

XXVIII Additions and amendments to Scheme

The Board may from time to time add to or otherwise amend this Scheme and any amendment thereof will be notified in the official Gazette.

XXIX Termination of the Scheme

(1) The Unit Trust may terminate this scheme by publishing a notice in not less than four newspapers circulating in India. Such notice shall also specify the date from which the termination shall take effect and shall be published at least three calendar months prior to the date of termination.

(2) No unit holder shall have a right to the continuance of this Scheme after publication by the Trust of the notice as provided in Sub clause (1) above. The unit holder, the legal representatives, successors and every person claiming under or through a unit holder shall be bound by all the provisions of the Scheme including the powers conferred on the Trust to effect a termination in the manner provided.

(3) Upon termination and as soon as possible thereafter the unit holders whose names stand registered in the unit holders register maintained by the Trust as on the specified date shall be paid the repurchase price arrived at by the Trust as applicable to that date.

(4) No further benefit by way of dividend or increase in repurchase price or interest shall accrue in respect of the units, after the specified date in respect of the repurchase price payable to the unit holder upon termination of the Scheme.

XXX Scheme to be binding on unit holder

The terms of this scheme including any amendments thereof from time to time, shall be binding on each unit holder

and every other persons claiming through him as if he had expressly agreed that they should be so binding.

XXXI Suspension or closure of sales

Sale of units under this Scheme may be suspended or closed by the Trust at any time after giving notice of seven days in important daily newspapers of its intention to do so.

XXXII Copy of Scheme to be made available

A copy of this scheme incorporating all amendments thereto shall be made available for inspection at the offices of the Trust at all times during its business hours on payment of a sum of Rs. 5 -

XXXIII Benefits to the unit holders

All benefits accruing under the scheme in respect of capital reserves and surpluses if any available at the time of the closure of the scheme shall be distributable only among the unit holders who hold the units at its closure.

XXXIV Power to construe provisions

Should any doubt arise as to the interpretation of any of the provisions of the scheme Chairman or in his absence the Executive Trustee shall have powers to construe the provisions of the scheme, in so far such construction is not in any manner prejudicial or contrary to the basic structure of the scheme and such decision shall be final and conclusive.

XXXV Relaxation/Variation/Modification of provisions

The Chairman or in his absence the Executive Trustee of the Trust in order to mitigate hardships or for smooth and easy operation of the scheme relax, vary or modify any of the provisions of the scheme in case of any unit holder, or class of unit holders upon such conditions as may be deemed expedient.

NOT NEGOTIABLE
OR
TRANSFERABLE

FORM A
EMBLEM

UNIT TRUST OF INDIA

(Incorporated under the Unit Trust of India Act, 1963)

Capital Gains Unit Scheme, 1983.

(Clause XIV)

Unit Certificate No

No. of units

This is to certify that the person/s named in this certificate is/are the Registered Holder(s) of _____ units, each of the face value of Rupee Ten subject to the provisions of the Unit Trust of India Act, 1963 (52 of 63) the Regulations framed thereunder and Capital Gains Unit Scheme, 1983.

Name/s

1
2
3
4

The units comprised in this certificate are subject to the restrictions provided under clause XXIV of the Capital Gains Unit Scheme, 1983 and are not therefore transferable or negotiable.

Date _____

for UNIT TRUST OF INDIA

Units under the Scheme represented by this Certificate are neither transferable partially or wholly nor are they negotiable.

Form of application for repurchase of units under Capital
Gains Unit Scheme 1983

CORRIGENDA

Date : ————

To :

The Unit Trust of India,
.....
.....

I/We am/are the registered holder(s) of units of the Capital Gains Unit Scheme, 1983 of the Unit Trust of India. Three years have since expired after the issue of units under this certificate/Units are being repurchased under clause IX(1)(A) of the Scheme at the desire of the survivor/s, heir/s or legal representatives of the deceased unitholder. No charges, encumbrance, or other hypothecation has been created over these units in any manner. I/We, am/are desirous of selling to the Trust all the said units and offer the same for repurchase by the Unit Trust of India at the repurchase price on the Acceptance date in respect of this application.

The price of the units may be paid to me by cash/ cheque/bank draft at my cost.

Signature/s of holder(s)

Signature of witness 1.

Occupation : 2.

Address : 3.

..... 4.

Signature of witness

Occupation :

Address :

For the use of the office

Acceptance Date

*Delete inapplicable words.

£Payment in cash permissible only if the amount does not exceed Rs. 10,000/-.

for UNIT TRUST OF INDIA
R. SRINIVASAN
Deputy General Manager (P&D)

Corrigendum to the Balance Sheet, Revenue Account and Chairman's Report etc. in respect of Unit Schemes 1964, 1971, CRTS (1981), IUS (1982), MIS (1983) and GIS (1983) of the Unit Trust of India for the year ended 30th June 1983 published in the Gazette of India No. 39 (Part III-Section 4) dated 24th September 1983 on pages 2948 to 2962.

UNIT SCHEME 1964

Page No. 2950 : Total of income under previous year should read as 7020.57 instead of 7202.57.

UNIT SCHEME 1971

Page No. 2959 : At serial No. 14 (b) the cost of Unquoted Investments (less amount written off) should read as 3159.31 instead of 1359.31.

UNIT SCHEME 1983

GROWTH & INCOME UNIT SCHEME (GIS)

Page No. 2954 : Total of schedule A should read as 1352.78 instead of being blank.

Page No. 2962 : At serial No. 46 the Section should be 25(4) instead of 15(4).